

**KENTUCKY BOARD OF EDUCATION
REGULAR MEETING
FEBRUARY 10-11, 2009**

**STATE BOARD ROOM
1ST FLOOR, CAPITAL PLAZA TOWER
FRANKFORT, KENTUCKY**

SUMMARY MINUTES

The Kentucky Board of Education held its regular meeting on February 10-11, 2009, in the State Board Room, First Floor, Capital Plaza Tower, Frankfort, Kentucky. The Board conducted the following business:

Monday, February 9, 2009:

STUDY SESSION ON AP AND SECONDARY ISSUES

Kentucky Board of Education members participated in a study session on advanced placement and secondary issues in the state board room beginning at 6:15 p.m. The topics covered during the study session included:

- Introduction, opening comments, available data
- Assistance to schools under ASSIST model
- High quality instructional core
- Access/opportunity
- KDE initiatives/closing comments
- Questions/answers

The session was completed at approximately 8:30 p.m. and the Board was in recess until the next morning.

Tuesday, February 10, 2009:

CALL TO ORDER

Chair Joe Brothers called the meeting to order at 9:00 a.m. He asked everyone to turn off and mute their cell phones and reminded them that the meeting was being webcasted.

ROLL CALL

Present for the meeting were C.B. Akins, Kaye Baird, Joe Brothers, Dorie Combs, Jeanne Ferguson, Judy Gibbons, Billy Harper, Doug Hubbard, Austin Moss, Steve Neal, Brigitte Ramsey and Robert King.

ANNOUNCEMENTS

Chair Brothers made the following announcements:

- On page 3 of the Agenda Book, item 12B, Update on the issue on property at KSD and consideration of whether to declare any other building or acreage as surplus, should be labeled as an Action/Discussion instead of a Review item.
- Tomorrow about 11:50 a.m. the Board will be recognizing Dr. Jon Draud for his service as commissioner with a presentation followed by a luncheon in his honor.

APPROVAL OF MINUTES

Dorie Combs noted that on page 29 of the Agenda Book, the bullet referencing her presentation at the National Middle School Association conference should be revised to say “a presentation on the findings of the middle school study group”. She then moved to amend the December 10-11, 2008, minutes to reflect this change and C.B. Akins seconded the motion. The motion carried. Next, C.B. Akins moved to approve the amended December 10-11 meetings minutes and the January 7, 2009 meeting minutes. Billy Harper seconded the motion and the motion carried.

INTRODUCTION OF NEW KDE EMPLOYEES AND KDE TEAM MEMBERS OF THE MONTH

Interim Commissioner Elaine Farris introduced Pat Seay, December team member of the month from the Office of Education Technology and Soumya Sharath, February team member of the month from the Office of Leadership and School Improvement. Then she proceeded to introduce the following new department employees:

- Cindy Greer, Office of Assessment and Accountability
- Jennifer Stafford, Office of Assessment and Accountability
- Renee Doss, Office of Teaching and Learning
- Carol Franks, Office of Teaching and Learning
- Wendy Burchfield, Office of Leadership and School Improvement
- Pittman Fisher, Office of Internal Administration and Support
- Dona Hulse, Office of Internal Administration and Support
- Gary Leist, Office of District Support Services
- Kem Delaney-Ellis, Office of District Support Services

The board welcomed all of the new employees and honored the team members of the month with applause.

REPORT OF THE SECRETARY OF THE EDUCATION AND WORKFORCE DEVELOPMENT CABINET

Secretary Helen Mountjoy reported the following:

- The new board members received a very kind reception in the House Education committee and cleared the first hurdle of confirmation.
- The budget is the hot topic at the moment in the legislative session. It will still result in difficulties even if it is adopted. Greg Rush and Joe Lancaster are to be complimented for the information they compiled to send to the Governor's office relative to the department's budget.
- An announcement is anticipated from the Governor very soon to establish a task force on early childhood.
- In his State of the Commonwealth address, the Governor indicated that a comprehensive review of education reform would be an initiative he would be carrying out. This is not an abandonment of what has occurred to this point but is instead a review after twenty years because the world has changed.

REPORT OF THE PRESIDENT OF THE COUNCIL ON POSTSECONDARY EDUCATION

The new president of the Council on Postsecondary Education, Robert King, was present and gave the following report:

- He indicated that he would work hard to meet each state board member individually and said he has been working in and around education all his life.
- Kentucky was characterized to have shown a long term commitment to education in the P-12 arena as well as in higher education.
- His energy would be focused on improving education overall.
- Higher education success depends on P-12.
- Secretary Mountjoy's comments that the world is changing was echoed and King felt that we must demand the very best for our students.

REPORT FROM THE PRE-K TO 16 COUNCIL

Jeanne Ferguson reported the following:

- The Council met on December 15 and heard a report from Ron Dailey that included information about P-16 councils across the state.
- A report also occurred on math across the state of Kentucky and how the partners are working together with an appearance by Dr. Bill Bush from the University of Louisville, who heads the Committee on Mathematics.
- The Council looked at some on-line testing options that help to place students in the correct mathematics course. Additionally, specific universities talked about what they are doing in the area of mathematics.

REPORT OF THE COMMISSIONER OF EDUCATION

Interim Commissioner Elaine Farris reported the following:

- Kentucky has been recommended for funding for a 3-year federal grant from the Institute of Education Sciences, which is part of the U.S. Department of Education. This does not mean that we have received approval for final funding; however, discussions are taking place right now between the U.S. Institute of Sciences and the department to address questions and concerns the reviewers may have regarding the Kentucky application. Since Kentucky was already awarded a grant for foundation activities, which became the KIDS project, we could only apply for expansion activities, which have been limited to \$3 million. If we receive the grant it must be used to add onto the work already begun. It cannot be used for additional foundational activities or to sustain the original KIDS effort. Kentucky requested \$2.9 million in order to provide a place for PK-12 and postsecondary data to be combined for research, analysis and decision making; bring in teacher data from the Education Professional Standards Board; bring in additional PK-12 data sources; and create new reports. We may not know the final amount for a month or more but are hopeful for a positive outcome.
- The department had already begun to work on revising mathematics standards with fifteen other states and due to this work decided it was time to put on paper some of the big principals relating to the next generation of our assessment and accountability system. We received a lot of input from various stakeholders to shape the paper and circulated it to all legislators and to the public. The paper identifies the following five key principals that guided the development of the document as follows:
 - Development of standards must happen before the selection and creation of the assessment.

- The annual state assessment system must provide diagnostic, longitudinal growth data, and proficiency levels at the individual student level.
- The annual state assessment must measure both the knowledge and high level thinking required by the standards.
- The annual state assessment should be built to support interim and classroom assessments.
- Accountability is necessary for ongoing educational improvement.

At this point, Dorie Combs said that she felt the board should go on record as supporting the paper even though individual members had expressed support as input was given on it. Thus, Combs moved for the board to endorse the paper titled “The Next Era in Kentucky Educational Progress” and Steve Neal seconded the motion.

Interim Commissioner Farris commented that staff has also looked at Senate Bill 1 and is thinking about potential amendments that could improve the bill. She emphasized that the department wants to come out of this discussion with a balanced assessment.

Billy Harper noted that he hoped we did not lose sight of the possibility of including end-of-course assessments in our assessment system.

The question was called and the motion carried unanimously.

GOOD NEWS ITEMS

The board members noted below shared the following items of good news:

- Dorie Combs – The students of Scott County and the students of Mrs. Aw Boon Haw Secondary School in Hong Kong (the equivalent of an American high school) share a sister school relationship and have done so for the last four years. The Kentucky and Chinese students email each other on a regular basis and groups of students from here visit Hong Kong and their students come here. This provides a tremendous chance for the students to learn ideas and customs from a different culture and to make international friends. Commendations go to Scott County for pursuing and expanding this opportunity for their students to broaden their horizons and understand another culture!
- Austin Moss – The Kentucky Engineering Exposure Network (KEEN), run by the Kentucky Transportation Cabinet, was recently in Christian County High School sharing information about their program with students in the school’s Gifted and Talented Program interested in the engineering profession. Through the KEEN Program, engineers employed by the transportation

cabinet visit schools throughout the state to discuss the applications of math and science in daily situations and the opportunities and challenges available to students in the field of engineering. This program awards up to 20 scholarships to any Kentucky high school graduate with an ACT score of 24 or higher who attends the University of Kentucky, Western Kentucky University, the University of Louisville or Kentucky State University and majors in engineering. After the student graduates with a Bachelor of Science degree in engineering, the student must work full time for the transportation cabinet for each year they received the scholarship. We commend the transportation cabinet for this partnership with and support of our Kentucky students!

PUBLIC COMMENT SEGMENT

Those speaking in the public comment segment were Kelly Tarter, a Muhlenberg County citizen, who was not in support of the Muhlenberg County Facility Plan due to issues related to the school-based decision making council and Dale Todd, Superintendent of Muhlenberg County, who spoke in support of the board's passage of the Muhlenberg County Facility Plan.

HARVARD EXECUTIVE LEADERSHIP PROJECT (ExEL)

Coming forward for this presentation from the department staff were Jamie Spugnardi, Sally Sugg and Debbie Daniels. Staff summarized that Kentucky was selected by the Wallace Foundation as one of four states to participate in Cohort 1 of the ExEL project with a state level and four Harvard-selected district teams of eight members being chosen to learn how to improve student achievement by using a coherent framework (public education leadership project – PELP). It was related that PELP is designed to help leaders effectively identify problems, create theories of action, develop and implement strategies and manage and evaluate school and district level performance. Department staff introduced the four superintendents from the districts that were chosen to participate in the ExEL project as follows: Tom Shelton from Daviess County, Sheldon Berman from Jefferson County, Tim Hanner from Kenton County and Randy Poe from Boone County. Each superintendent took time to share with the board how this project is being implemented in his district and how student achievement is being improved through the model.

Jamie Spugnardi thanked Judy Gibbons for her attendance at meetings relative to this project and board members were invited to attend the culminating event of the project, which will be an in-state institute that will occur on April 21-22 in Louisville, Kentucky.

Judy Gibbons commented that this is the most powerful work she has seen and encouraged all board members to attend the April meeting.

UPDATE ON THE ISSUE OF PROPERTY AT THE KENTUCKY SCHOOL FOR THE DEAF (KSD) AND CONSIDERATION OF WHETHER TO DECLARE ANY OTHER ACREAGE OR BUILDINGS AS SURPLUS

Johnnie Grissom, Barb Kibler, and Tom Engstrom came forward for this agenda item. The board welcomed Johnnie Grissom back and indicated how much she had been missed.

Barb Kibler summarized the proposal on the property that the board is being asked to consider for surplus as follows:

- The board was being asked to continue the razing of old Lee Hall.
- The second piece of property was being requested for surplus and involved a home and yard that had been occupied by the maintenance supervisor that will no longer be used for that purpose. It is located near the corner of Second and Jacobs Street.
- The third piece of property was also being requested to be surplus and included a parcel of land of about 40 acres that is bounded by Stanford Road, Danville Schools' athletic fields and the city of Danville maintenance garage. This property is not used by KSD and is burdensome and expense to keep mowed and secured. Additionally, Danville Independent has expressed an interest in this acreage.

Dorie Combs indicated that she felt this proposal focus and simplify the campus and said that the board needs to proceed with it.

After a brief discussion, Dorie Combs moved to approve the request of the department to raze old Lee Hall and declare the two additional parcels as surplus property. Kaye Baird seconded the motion and it carried with Doug Hubbard voting no. Mr. Hubbard clarified that he was not opposed to the razing of old Lee Hall or the surplus of the house and yard occupied by the maintenance supervisor but was opposed to selling the 40-acre plot.

HEARING OFFICERS REPORT

General Council Kevin Brown came forward to report on the status of the board's regulations as they proceed through the legislative committee review process. He stated that the House Education Committee today approved the board's regulations that dealt with ESS, special populations, the administrative code and the district report card. Brown noted that these regulations will go on to the Senate Education committee for consideration on Thursday. He went on to say that the regulation on depository bonds will be considered by the Administrative Regulation Review Subcommittee in March.

REPORTS FROM THE COVINGTON INDEPENDENT AND UNION COUNTY SCHOOL DISTRICTS ON THE STATUS OF THEIR SCHOOL AND DISTRICT SUPPORT PLANS

Coming forward from the Covington Independent School District were Lynda Jackson, Superintendent; Dennis Means, Holmes Junior/Senior High School Principal and Shawn Bohannon, Holmes Junior/Senior High School Assistant Principal. In their presentation, the district staff shared information on:

- ThinkLink scores from January 2008 to January 2009 in reading and mathematics
- Improvement in the gap areas relative to data from EXPLORE and PLAN
- Data and intervention programs related to discipline
- Data and intervention programs relative to out-of-school suspensions
- Narrative on the school deficiencies and next steps to correct the deficiencies
- Next steps for the district relative to creating a vision and strategic plan for alternative education programs, participation in and implementation of the Safe and Civil School CHAMPs training and the rewriting of the course description book and design of a syllabus for each course
- Plans for implementing the High Schools That Work Program
- Plans for the Gateway College Access Center
- A uniform lesson plan format
- A focus visit rubric that would examine the areas of planning and preparation, learning environment and instruction through walk-through observations, classroom management, behavior management, word walls, classroom instruction, classroom assessment, dashboard data, school-wide writing, core reading programs and Everyday Math

The board was very complimentary of the work that is being done in the Covington Independent District and at Holmes Junior/Senior High School.

Next, staff from the Union County School District came forward including Josh Powell, Superintendent and members of his staff identified as Linda Beauchamp and Denny Vinson.

A folder was handed out to the board members highlighting the initiatives targeted to improve student achievement in the district. Mr. Powell was introduced and proceeded to

go through a PowerPoint that explained his approach to school improvement in Union County. The topics covered in the PowerPoint included:

- Mr. Powell's leadership philosophy
- Publicly expressed beliefs of the school district staff
- Rankings of the district and the different schools in the county
- A summary of past performance of the district and schools
- District initiatives such as hiring a new superintendent, the board passing a formative assessment initiative and the community understanding the district is in educational peril
- Community initiatives including an economic development group, accountability for everybody and understanding that the district is an organization designed for children whose future is greatly dependent upon the district's success
- Formation of the Department of Student Achievement
- Introduction of the district team of Cindy Dyer, Sherry Collins, Depoka Croft, Michele Hall, Amy Nelson, Amy Hancock, Brian Lovell, Holly King, Denny Vinson, Patricia Sheffer, Melissa Brantley, Melinda Beauchamp, David Waggener, Eugene Pardue and Lisa Stone
- The new focus of Union County of community, culture change and leadership
- Instructional resources such as professional learning communities, principal walk-throughs with superintendent, curriculum specialist walk-throughs with director of instruction and the walk-throughs creating accountability; assistance by others including the Kentucky Association of School Councils to do a district walk-through and provide feedback and Mike Rutherford doing teacher coaching and leadership development; help from high performing districts such as Hancock County and Cloverport Independent; and the use of such programs as Study Island and Carnegie Math
- Union County Middle School restructuring
- Math and reading test scores from CATS as well as from formative assessments
- Why Union County will be successful due to the right people in the right places, the valuing of children and their education, the understanding of the investment that is being made, the understanding that having a high

performing district is about making difficult decisions; and the decision to take a stand and have pride

Steve Neal asked why the district turned down assistance from the Kentucky Department of Education and stated that he did not think that help from an outside entity to give an external viewpoint should be turned down.

Superintendent Powell replied that the district was denied to use the VPAT model and felt that the ASSIST model was new and not tried. Thus, he said he did not accept the offer of assistance from the department.

Austin Moss noted the need to see African-Americans in leadership roles in the district.

Steve Neal continued that in the past Jefferson County had been arrogant about assistance and had regretted that decision because no district is an island. He emphasized that Union County is not an island and he thought that it was an error to try to do the turnaround just as a district staff. He urged Mr. Powell to reconsider the opportunity to learn from others.

Denny Vinson commented that if you compared the ASSIST team approach to the one the district is using, one can see that the district's approach will make more progress.

Billy Harper commented that he thought that the district is taking a risk but noted the proof will be in the results at the end of the year.

C.B. Akins said that Mr. Powell sounded elitest at first, but noted that he is a risk taker with a lot of energy. Akins said there does need to be diversity on the district's leadership team because you need folks whose lenses are grounded in a different culture. Akins said he was appalled at KDE's denial of VPAT and said he will ask questions about that matter. He went on to say that due to the fact Union County is ranked as low as it is, he felt the staff should welcome all the help it could get to turn things around.

ENERGY SAVINGS/GREEN SCHOOLS IN KENTUCKY

Coming forward for this program were John Davies, Director of the Division of Energy Efficiency and Conservation; Jane Eller, Executive Director of Green and Healthy Schools; Lee Colten, ENERGY STAR Program Manager; Karen Reager, State Program Director of the Kentucky NEED Project and Cam Metcalf, Executive Director of the Kentucky Resource Center for Environmental Sustainability. Also at the table was Division Director Mark Ryles from the Department of Education. Mr. Davies proceeded to give a PowerPoint presentation that presented the following concepts:

- The presentation gave an overview of the ENERGY STAR program for schools, the Kentucky Energy Efficiency Program for Schools (KEEPS), the

National Education Energy Education Development Project (NEED) and the Green and Healthy Schools Program.

- High performance schools were noted to be schools that would join together the very best of today's design strategies and building technologies. The benefits of becoming a high performance school were cited as an improved learning environment for better performing students, increased average daily attendance, increased teacher satisfaction and retention, protection of natural resources, opportunities to use the facility as a teaching tool and reduction of operating costs.
- K-12 energy expenditures were summarized.
- High performance building guidelines were then addressed for each of the four programs.

ANNOUNCEMENTS

Prior to moving to the Management Committee meeting, Chair Joe Brothers made the following announcements:

- The board will next move into committee meetings with the Management Committee meeting starting shortly in the state board room once the full board recesses.
- The Audit Committee will meet tomorrow morning at 8:00 a.m. and the Curriculum, Instruction and Assessment Committee meeting will convene upon adjournment of the Audit Committee meeting. Both meetings will be in the state board room.
- The full board meeting will convene tomorrow morning upon adjournment of the Curriculum, Instruction and Assessment Committee meeting in the state board room.

STATEMENT BY INTERIM COMMISSIONER ELAINE FARRIS

Interim Commissioner Farris asked to make some remarks relative to some of the comments made during the Union County presentation. She indicated that the department's mission is to provide assistance to schools and districts because we can broker resources for districts without using their dollars. She noted that the department has had commendations from the teams in Christian and Fayette Counties relative to the work of the ASSIST teams. She indicated that staff continues to look at the Highly Skilled Educator Program data; it shows a highly successful model. Farris went on to say that the model of the ASSIST team is designed to provide support to the district and that as part of that team, superintendent mentors and board mentors are offered if those are elements the district wants to include in their improvement efforts.

MANAGEMENT COMMITTEE MEETING

Action/Consent Items

1. **District Facility Plans: Fayette, Lincoln, Mercer, Muhlenberg and Powell Counties and Walton-Verona Independent.** Associate Commissioner Larry Stinson reported that each plan was developed through the district following procedures as required by law and noted that department staff recommends approval of all submitted district facility plans.

At this point some concerns were expressed by board members relative to the Muhlenberg County plan in that it was understood that after the merger would occur that the principal would be appointed by the superintendent instead of instituting an interim principal followed by letting the council appoint a principal.

Mr. Kelly Tarter was asked to come forward to express his concerns. He shared that Muhlenberg South High School had a proactive school-based decision making council. He said that at the last LPC meeting the merger was introduced and he felt there was no voice for the councils and the others in the community against the merger. Carter said he objected to the two-campus format due to safety concerns and the fact that no thorough planning had been conducted for the format relative to transportation, curriculum, etc. He indicated that the council voted against the plan for the merger into one high school.

Dale Todd, Muhlenberg County superintendent, said that he feels the opposition is in the minority. The local planning committee chair added that all procedures were followed and there was no intent to undermine any group at the school or in the district.

After a lengthy discussion, Steve Neal moved to approve the facility plan from the Muhlenberg County School District and Austin Moss seconded the motion. The motion carried.

Next, Kaye Baird moved approval of the facility plans from Fayette, Lincoln, Mercer and Powell Counties and Walton-Verona Independent. C.B. Akins seconded the motion and it carried.

2. **2008-2009 Local District Tax Rates Levied.** Associate Commissioner Larry Stinson reported that the last three districts are submitting their tax rates and have met the requirements. At that point, Austin Moss moved approval of all submitted tax rates levied and C.B. Akins seconded the motion. The motion carried.

Action/Discussion Items

1. **Revisions to the following Nutrition and Health Services regulations in 702 KAR Chapter 6 (Final):**

- 702 KAR 6:010, Local Responsibilities (Final);
- 702 KAR 6:020, District director (Final);
- 702 KAR 6:031, Repeal of 702 KAR 6:030, Principal's responsibilities (Final);
- 702 KAR 6:040, Personnel; policies and procedures (Final);
- 702 KAR 6:045. Personnel; food service employee qualifications (Final);
- 702 KAR 6:075, Reports and funds (Final)
- 702 KAR 6:090, Minimum nutritional standards for foods and beverages available on public school campuses during the school day; required nutrition and physical activity reports (Final);

Chair Doug Hubbard asked if there were any questions about the revisions to these regulations and Kaye Baird said the committee thoroughly reviewed them last time. She stated it was time for action and moved approval of all of the nutrition and health services regulations and C.B. Akins seconded the motion.

General Council Kevin Brown noted that the regulations needed to be approved with the understanding that staff will work with LRC to make a change in the chapter name of the regulation as well because it is talking about nutrition.

Doug Hubbard then said that by voting for this it would include that change. The question was called and the motion carried.

2. **Request for Waiver for the March 1 school council allocation date for 2009.**

Chair Hubbard indicated that staff is asking to delay the March 1 school council allocation date to May 1 to allow more time for districts to accomplish this due to the uncertain financial situation. C.B. Akins then moved approval of the waiver of the March 1 school council allocation date to May 1 and Kaye Baird seconded the motion. The motion carried with Steve Neal voting no.

3. **Rescind Declaration of Emergency for the Covington Independent School District.**

Associate Commissioner Larry Stinson explained that after the board's action at the last meeting of putting Covington Independent under a declaration of emergency, it was determined through the final audit that the district was not in deficit but instead needs to go on the watch list. Kaye Baird then moved to approve the rescinding of the declaration of emergency for the Covington Independent School District and Austin Moss seconded the motion. The motion carried.

4. **702 KAR 4:160, Capital Construction Process (Final).** Associate Commissioner Larry Stinson said that the regulation now includes the language requested by the board relative to businesses owned by minorities and women. At this point, Austin

Moss moved final approval of 702 KAR 4:160 and Kaye Baird seconded the motion. The motion carried.

5. **702 KAR 7:065, Designation of Agent to Manage High School Interscholastic Athletics (Final).** Coming forward for the discussion were Commissioner Brigid DeVries, Julian Tackett and Eldon May all from KHSAA. Commissioner DeVries noted that the additional attachments to the regulation are there at LRC's direction.

At this point, Kaye Baird moved final approval of 702 KAR 7:065 and Austin Moss seconded the motion. The motion carried.

Review Items

1. **702 KAR 7:065, Annual Reporting Requirements of KHSAA.** Commissioner DeVries indicated this was a follow-up to KHSAA's report from last time and emphasized these elements are required by law.
2. **School District Watch List.** Associate Commissioner Larry Stinson passed out documents to the board indicating the districts that are currently on the watch list and entertained questions.

Wednesday, February 11, 2009

AUDIT COMMITTEE MEETING

Chair Brigitte Ramsey opened the meeting and began with the item titled "Performance Audit of the Kentucky Department of Education's Oversight of State Assessment Contracts". She read the following from the cover letter that came with this audit as follows:

"The enclosed report, Performance Audit of the Kentucky Department of Education's Oversight of State Assessment Contracts, identified nine findings and offered specific recommendations to strengthen the controls and oversight process of contract assessment services. The audit process included: determining the amount and source of funds expended on Kentucky's assessment program at the state level; determining whether contract services were provided prior to KDE authorizing payment; examining KDE contract procurement procedures; examining certain assessment contracts, payments and related contract modifications; and examining KDE contract control and oversight processes."

Chair Ramsey continued by reading the conclusion from the auditor found on page iii of the Executive Summary that stated:

"It was determined that the services required under the reviewed contracts were provided. KDE has developed an extensive monitoring process for the primary CATS contracts with Measured Progress. However, some weaknesses were

found related to the documentation submitted by the three vendors and KDE's review process. The audit makes eleven recommendations that would further strengthen administration of the assessment program in Kentucky."

Coming forward to discuss the audit were Ken Draut, Janet Hartlage, Ruth Webb and Joe Lancaster. Associate Commissioner Draut reported that the Government Contract Review Subcommittee stimulated questions on how much was spent on the assessment and if the services were rendered. He indicated that some confusion exists due to the way services are rendered in one year and payment comes in another year. At this point, staff went through each of the findings and answered questions for the committee.

Deputy Commissioner Ruth Webb indicated that the audit was well done and the department is taking this advice very seriously.

Ken Draut continued that the audit cost the department \$30,000 and said the auditor would be following up in March to see that the improvements have been put in place. He indicated that staff will update the Audit Committee in April on this follow-up.

Next, the committee examined the commissioner's expenses and the board's expenses. Associate Commissioner Joe Lancaster pointed out that due to the state insurance holiday in December, on the commissioner's chart the \$21,467.65 amount should be adjusted to \$20,975.55. As to the board's expenses, nothing unusual was found.

Before adjourning the meeting, Judy Gibbons moved to accept the assessment audit and Doug Hubbard seconded the motion. The motion carried.

The committee adjourned at 8:50 a.m.

CURRICULUM, INSTRUCTION AND ASSESSMENT COMMITTEE MEETING

Review Item

1. **Update from Partners regarding Adolescent Literacy Plan for Kentucky.**
Michael Miller, KDE Division Director, came forward and introduced the following presenters for this agenda item: Felicia Cummings-Smith, Director for the Collaborative Center for Literacy Development; Margaret Rintamaa, Striving Readers Project Manager; Susan Cantrell, Director of Research for the Collaborative Center for Literacy Development; Cathy Belcher, Project Manager of the grant from Danville Independent; Amy Aubrey, Collaborative for Teaching and Learning; Brenda Overturf, University of Louisville; Tricia Bronger, University of Louisville; and Cindy Parker, Branch Manager for KDE. Miller emphasized that this project is one of the many ways that the department is pleased to collaborate with the Council on Postsecondary Education and postsecondary institutions. He then turned it over to the presenters to talk about the Striving Readers grant and the progress that has been made.

Cindy Parker started the presentation by reminding the committee that it had heard from the Striving Readers grant previously in December 2007. She reported this to be the third year of the grant and the second year of the data that is being gathered. Parker stated that this program is a partnership among Danville Independent, which serves as the fiscal agent, the Collaborative Center for Literacy Development in Louisville that serves as the research arm for the grant, the Collaborative Center for Teaching and Learning in Louisville that does the school-wide training and the University of Louisville that does the course work and training for coaches. She went on to say that the grant has both a school-wide model and intervention piece and pointed out that Kentucky is the only state that has a grant that is statewide and has a rural initiative. Parker said that seven school districts are involved in the grant, which consists of 23 middle and high schools participating and receiving this training. She conveyed that the program provides school-wide professional development on the use of the strategies and involves the training of literacy coaches to be certified as reading specialists to make sure that interventions occur for the most struggling students.

Next, Susan Cantrell talked about the data and what is being learned from the grant. She felt that the learnings from this grant will inform the nation on serving the needs of adolescents. Cantrell stated that the evaluation is looking at the impact of both the targeted interventions and the whole-school model. She shared some of the initial learnings and indicated that more would be brought to the board in the future.

Amy Aubrey from the Collaborative for Teaching and Learning then talked about the training that is done with faculties in the summer and the training done with the coaches on how to coach other teachers. She emphasized that it is critical to provide external support from an outside source in order to make a difference in the performance of these students. Aubrey shared that it is difficult for a school to stay focused on a single initiative for more than two years but pointed out that it takes five to seven years for an initiative to make a big impact. One fact that she noted was that discipline-specific training is beginning to show impact because the previously used idea that everyone is a teacher of reading does not fly with content area teachers. Aubrey shared that increasing the toolkit for content area teachers is the best method to pursue. She also commented that leadership is a critical piece to ensure the literacy of adolescents improves.

Tricia Bronger then talked about the interventions piece that comes from a research-based program at the University of Kansas. She indicated that it is used with students two or more grade levels below their current grade placement where the students come to an intervention classroom for individual instruction. She emphasized the importance of diagnostics, ongoing job-embedded professional development and networking in the intervention piece.

Judy Gibbons thanked the presenters and asked them to come back for another update when the data is ready to be released.

2009 ELEMENTARY AND SECONDARY EDUCATION LEGISLATION

Deputy Commissioner Ruth Webb said there was a lot of activity yesterday in that House Bill 143 and 144 passed out of the House Appropriations and Revenue Committee. She explained that House Bill 143 is the budget bill with a different format than in the past. Webb stated that it was decided not to do a full blown budget bill but to leave it up to the Governor to make the cuts. She went on to say that we believe the department's plan for a 2% cut exempting SEEK will be required. She reminded the board that the department has asked to make the reduction in textbooks but noted that a provision in the budget bill says that line items cannot be cut more than 2%, which is problematic to the department's approach. Webb stated that department staff are working with legislators on this issue. She commented that it is the intent of the legislature to give the Governor additional revenue through various means. She moved on to explain that House Bill 144 is the bill providing tax increases through a \$.30 cigarette tax and doubling the tax on other tobacco products along with requiring a 6% retail sales tax on alcohol.

At this time, Legislative Liaison Frank Rasche went over the education related bills and also asked to defer working on House Bill 255 having to do with dropouts until more work can be done on this proposal. Doug Hubbard moved approval to defer House Bill 255 and Kaye Baird seconded the motion. The motion carried.

Rasche went on to say there was some review in committee yesterday of Senate Bill 1 and reported that the baseline implementation date was changed to 2012 and the testing window was designated to be the last eight days of the district's academic year.

Dorie Combs expressed concern that the last week of high school is for final exams and that this is a poor time to test kids.

Interim Commissioner Elaine Farris stated that department staff is in the process of crafting language to amend Senate Bill 1 and will continue to share its status with the board.

2010-2012 BIENNIAL BUDGET PROCESS AND STATUS OF FY09 FUNDING REDUCTION

Coming forward for this presentation were Associate Commissioner Joe Lancaster and Deputy Commissioner Ruth Webb. Lancaster gave a background on how the budget evolved and indicated that staff is starting to look at the next budget cycle. He then went through the steps in the budget cycle including the board's involvement. Lancaster went on to say that information on the budget reduction was shared during the legislative update but noted that staff will continue to keep the board apprised of progress on the budget.

APPROVAL OF ACTION/CONSENT AGENDA ITEMS

Doug Hubbard moved approval of all submitted facility plans and district tax rates levied and Billy Harper seconded the motion. The motion carried.

REPORT OF THE AUDIT COMMITTEE

Audit Committee Chair Brigitte Ramsey stated that the committee reviewed the audit on the state assessment contracts and the expenses of the board and the commissioner. She then moved to accept those reports and the motion carried.

REPORT OF THE MANAGEMENT COMMITTEE ON ACTION/DISCUSSION ITEMS

The following agenda items were brought forward by the Management Committee for action:

- Revisions to the following Nutrition and Health Services regulations in 702 KAR Chapter 6 (Final):
 - 702 KAR 6:010, Local Responsibilities (Final);
 - 702 KAR 6:020, District director (Final);
 - 702 KAR 6:031, Repeal of 702 KAR 6:030, Principal's responsibilities (Final);
 - 702 KAR 6:040, Personnel; policies and procedures (Final);
 - 702 KAR 6:045, Personnel; food service employee qualifications (Final);
 - 702 KAR 6:075, Reports and funds (Final)
 - 702 KAR 6:090, Minimum nutritional standards for foods and beverages available on public school campuses during the school day; required nutrition and physical activity reports (Final);

Chair Doug Hubbard moved final approval of all of the nutrition and health services regulations including the change of the chapter name. The motion carried.

- Request for waiver of the March 1 school council allocation date for 2009 – Doug Hubbard moved to change the school council allocation date from March 1 to May 1. The motion carried with Steve Neal voting no.
- Rescind declaration of emergency for the Covington Independent School District – Chair Hubbard moved removal of Covington Independent from the declaration of emergency and indicated the district is now on the watch list. The motion carried.
- 702 KAR 4:160, Capital Construction Process (Final) – Doug Hubbard moved final approval of 702 KAR 4:160 including language giving consideration to businesses owned by minorities and women. The motion carried.

- 702 KAR 7:065, Designation of Agent to Manage Interscholastic Athletics (final) – Chair Hubbard moved final approval of 702 KAR 7:065. The motion carried with Hubbard voting no because he did not feel comfortable designating KHSAA as the agent with the board appointing only four members on the Board of Control. It was agreed that the board would discuss the number of seats that it appoints on the KHSAA board in the future.

BOARD MEMBER SHARING

Board members reported on the topics that are noted below:

- C.B. Akins – report on his participation in the Seminar for Administrators of Programs of International Education Cooperation held in Spain.
- Austin Moss – attendance at the International Summit, the Christian County Summit and the African-American Male Summit.
- Judy Gibbons – formation of the Northern Kentucky Action Team and its attendance at the Northern Kentucky Legislative Caucus.
- Joe Brothers – attendance of a Blue Ribbon School visit at Highland Elementary and the KSBA conference.
- Dorie Combs – attendance of a Blue Ribbon School visit at White Hall Elementary.
- C.B. Akins – attendance of the Blue Ribbon School visit at Veterans Park Elementary.
- Brigitte Ramsey – participation in the Community Partnership Study Group sponsored by NASBE in Washington, DC.
- Mary Ann Miller – participation in the Assessments for the 21st Century Learners Study Group sponsored by NASBE in Washington, DC.

KDE EMPLOYMENT REPORT

Steve Neal indicated that he knows the department's goal for minority employment is 10% and he understands the data shows the department to be above this goal. However, he noted that he is seeing some downward trends that are not acceptable. Neal pointed out 21 separations, five of whom were minorities and felt that the department needs to redouble its efforts in this area.

Division Director Jill Hunter responded that current law presents some challenges in this area due to the fact that minorities are no longer identified in the material the department receives on applicants.

Austin Moss said that retention is an area that needs to be focused on and the department needs to look at the reasons people leave.

Jill Hunter went on to say that retirements were a big part of those leaving. She said she would contact the Personnel Cabinet to see what could be done in the area of minority hiring.

RESOLUTION HONORING DR. JON DRAUD

Chair Joe Brothers read the following resolution:

***Resolution Honoring Commissioner Jon E. Draud
By
The Kentucky Board of Education
Commonwealth of Kentucky***

- Whereas,*** **The Kentucky Board of Education's vision is "Every Child-- Proficient and Prepared for Success";**
- Whereas,*** **Jon E. Draud has served with distinction as Kentucky's commissioner of education since November 2007;**
- Whereas,*** **Jon E. Draud brought the unique combination of experience as an educator, educational administrator and legislator to the position of commissioner to help improve public education;**
- Whereas,*** **Jon E. Draud worked tirelessly across political lines to pursue programs and ideas that were aimed at what is best for students;**
- Whereas,*** **Jon E. Draud encouraged communities to get behind public education through holding local education summits and formed a statewide task force whose work could potentially lead to an improved assessment and accountability system;**
- Whereas,*** **Jon E. Draud is retiring from the position of commissioner of education effective January 31, 2009;**

NOW, THEREFORE, be it resolved by the Kentucky Board of Education to honor and thank Jon E. Draud for an outstanding career dedicated to educational improvement and for his outstanding service to the students of this Commonwealth.

**Done in the city of Frankfort, this
eleventh day of February, in the year Two
Thousand and Nine.**

At this point, Chair Joe Brothers asked for a motion to approve the resolution. Kaye Baird moved its approval and Doug Hubbard seconded the motion. The motion carried. Brothers then presented the framed resolution to Dr. Draud and Draud expressed his appreciation for this honor.

INTERNAL BOARD BUSINESS

Due to the absence of Chair Brothers, C.B. Akins, Vice Chair, oversaw this portion of the meeting. The board dealt with the reviewing the criteria for the commissioner that was used during the last commissioner's search. The fifth bullet was requested to be revised to also speak to success in a global society for the 21st century. Lisa Gross was asked to amend the characteristics and Mary Ann Miller was to send them out for review again prior to the March 4 & 5 meeting in Louisville.

ADJOURNMENT

Kaye Baird moved to adjourn the meeting and Billy Harper seconded the motion. The motion carried.